

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BENNE SINGLETARY, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 06-315-JJF
 :
 COL. GOSNELL, and C/O WAPLES, :
 :
 Defendants. :

ORDER

WHEREAS, on February 28, 2007, Plaintiff filed a Motion For Production Of Documents (D.I. 33) requesting the Court to subpoena the incident report relevant to the allegations in Plaintiff's Complaint;

WHEREAS, Defendants did not file a response;

WHEREAS, the Court liberally construes the Plaintiff's request as a motion to compel production of the requested incident report for the purposes of discovery, rather than a request for a subpoena, see Estelle v. Gamble, 429 U.S. 97, 106 (1976) (noting that pro se documents are to be liberally construed);

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. Plaintiff's Motion For Production Of Documents (D.I. 33) is GRANTED to the extent it requests that Defendants produce the incident report.
2. Defendants shall respond or further object to the request **no later than Friday, June 1, 2007.**

May 22, 2007


UNITED STATES DISTRICT JUDGE